

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**  
**MIGUEL A. CRESPO, III,**

**Plaintiff,**

**9:18-cv-827  
(GLS/ATB)**

**v.**

**DANIEL DIBBLE et al.,**

**Defendants.**

**APPEARANCES:**

**OF COUNSEL:**

**FOR THE PLAINTIFF:**

Miguel A Crespo, III  
Pro se  
397 Goethe Street (Lower Front)  
Buffalo, NY 14212

**FOR THE DEFENDANTS:**

HON. LETITIA JAMES  
New York State Attorney General  
The Capitol  
Albany, NY 12224

NICHOLAS LUKE ZAPP  
Assistant Attorney General

**Gary L. Sharpe  
Senior District Judge**

**ORDER**

The above-captioned matter comes to this court following a Report-Recommendation (R&R) by Magistrate Judge Andrew T. Baxter duly filed on March 25, 2020. (Dkt. No. 31.) Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections<sup>1</sup> having been filed, and the court having reviewed the R&R for clear error, it is hereby

**ORDERED** that the Report-Recommendation (Dkt. No. 31) is **ADOPTED** in its entirety; and it is further

**ORDERED** that defendants' motion for summary judgment (Dkt. No. 28) is **GRANTED**; and it is further

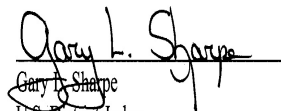
**ORDERED** that Crespo's amended complaint (Dkt. No. 8) is **DISMISSED WITH PREJUDICE**; and it is further

**ORDERED** that the Clerk is directed to close this case; and it is further

**ORDERED** that the Clerk provide a copy of this Order to the parties in accordance with the Local Rules of Practice.

**IT IS SO ORDERED.**

April 16, 2020  
Albany, New York

  
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Gary L. Sharpe  
U.S. District Judge

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<sup>1</sup> On March 25, 2020, Crespo's copy of the R&R was mailed to the address listed on the docket by regular mail and certified mail. (Dkt. No. 31.) Both copies were returned with an indication that there was a problem with delivery as addressed. (Dkt. Nos. 32, 33.) Crespo has apparently failed to keep the court apprised of his residence with the filing of a notice of change of address as required by Local Rules 10.1(c)(2) and 41.2(b).